

Meeting	Executive
Date	30 August 2018
Present	Councillors Gillies (Chair), Aspden, Ayre, Douglas, K Myers, Runciman and Waller
Apologies	Councillor Dew
In Attendance	Councillor Looker

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **25. Declarations of Interest**

Members were asked to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, that they might have in the business on the agenda.

Cllr Waller declared a personal interest in Agenda Item 6 (York Central Update – Western Access), as a member of West Yorkshire Combined Authority (WYCA), and in Agenda Item 9 (Capital Programme Monitor 1), as a governor of Westfield Primary School.

Cllr Gillies declared a personal interest in Agenda Item 6, as a member of WYCA.

### **26. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting during any discussion of:

- Annexes 4 & 5 to Agenda Item 7 (Disposal of Ashbank – No. 1 Shipton Road) and
- Annexes 5 & 6 to Agenda Item 8 (The Proposed Purchase of Robinson Court and the Union Terrace Centre)

on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the

Local Government (Access to Information)  
(Variation) Order 2006).

**27. Minutes**

Resolved: That the minutes of the Executive meeting held on 12 July 2018 be approved and then signed by the Chair as a correct record.

**28. Public Participation**

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme and one request to speak by a ward member.

Cllr Mark Warters, ward member for Osbaldwick and Derwent , spoke on matters within the Executive's remit. He commented on recent media reports about the Joseph Rowntree Charitable Trust and urged the Executive to issue a statement distancing the Council, and York, from the Trust. In response, the Chair indicated that he would request a report to Executive to consider the matter.

Tamsin Hart Jones spoke on Agenda Item 6 (York Central – Western Access) on behalf of the York Central Partnership. She expressed support for the recommendations in the report, which she said represented a significant milestone in the project.

Paul Hepworth spoke on Agenda Item 6 on behalf of the York Cycle Campaign. He voiced concern on aspects of the shared pedestrian/cycle access arrangements shown in Annex 3 and asked that officers work closely with cycling bodies in developing the proposals further.

Philip Crowe spoke on Agenda Item 6 on behalf of the York Environment Forum. He noted the cost increase referred to in paragraph 19 of the report. He also highlighted problems with shared access and suggested the pedestrian/cycle route be re-aligned to go around, rather than through, the commercial area.

## **29. Forward Plan**

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

## **30. York Central Update - Western Access**

The Assistant Director of Regeneration & Asset Management presented a report which sought approval for the final alignment of the Western access route to York Central and a package of land transfers and compensation between the council and the Millennium Green Trust.

The proposals were intended to minimise the impact of the Western route option on Millennium Green and ensure deliverability of the scheme, as agreed by Executive when they endorsed this option on 15 November 2017 (Minute 85 of that meeting refers). Details of the land ownership and proposed acquisitions, disposals and licences were set out in the plan at Annex 2. The report also included proposals for undertaking the detailed design of the first phase of infrastructure, in order to bring the scheme forward as soon as possible. Executive approval was sought as part of this report, since this aspect was intrinsically linked to the decisions needed to deliver the alignment. The plans at Annex 3 illustrated current draft proposals for the layout of the junction, spine road and bridge, including pedestrian and cycle routes.

With regard to issues raised under public participation, Officers confirmed that the details of the plans at Annex 3 were still being finalised and would be decided by the Planning Committee. Members commented that the proposals would help reduce traffic in the area and noted that they would expect the final design for the bridge to comply with the York Central Design Guide.

Resolved: (i) That the route of the York Central Access road, bridge and spine road be agreed as set out in Annex 3, and that detailed planning applications for these be submitted in the autumn.

(ii) That approval be given to repossess the land reserved in the Millennium Green lease, to facilitate the access road onto York Central.

(iii) That a long lease be granted of a plot of replacement land on the other side of the Holgate Beck, to provide long term replacement for the reserved land and to undertake minor improvement works to this land as agreed with the Millennium Green Trust (MGT).

(iv) That a licence be obtained from the MGT permitting use of the area of land required to facilitate the construction of the bridge and that this land be landscaped prior to returning it to the MGT on completion of the works.

(v) That approval be given to offer MGT temporary use of alternative City of York Council owned land adjacent to the Millennium Green during the period of the licence.

(vi) That a compensatory payment of £375k be made to the MGT, to reflect the disturbance to the Millennium Green and enable the trustees to provide for the long term maintenance to the Millennium Green, of which £300k will be conditional upon planning permission.

(vii) That further support to a maximum of £25k be provided to the MGT for their legal and technical support costs.

(viii) That embankment land to the west of Severus Bridge be appropriated for the use of the Highway, in order to provide an additional pedestrian and cycle deck across the railway.

(ix) That approval be given to undertake detailed design work for the key site infrastructure outlined in the report, including the access bridge and the spine road, and the National Railway Museum (NRM) rail link.

(x) That further funding be sought from the West Yorkshire Combined Authority (WYCA) and York, North Yorkshire & East Riding (YNYER) Local Enterprise Partnerships (LEPs) to fund the detailed

design of the first phase infrastructure through to construction commencement.

(xi) That a further £2,390k funding from the Economic Infrastructure Fund (EIF) be committed to fund the project through to March 2019.

(xii) That, in the eventuality that WCYA or YNYER grant funding is forthcoming, the grant be used to reduce the level of EIF support required.

(xiii) That a further report be received in November with a detailed financial plan for the delivery of York Central, including analysis of potential Enterprise Zone backed council borrowing, in order to establish a budget for delivery of York Central infrastructure.

(xiv) That a further report be received in January 2019 which will:

- a) set out a partnership agreement with the York Central Partnership to formalise the relationship and the financial agreement between the partners and
- b) seek approval to draw down funds and commence construction of the access road and bridge.

Reason: To ensure the early delivery of a new access route to York Central within the timescale of available grant funding and the long term maintenance of the Millennium Green.

### **31. Disposal of Ashbank - No. 1 Shipton Road, York**

The Assistant Director of Regeneration & Asset Management presented a report which sought approval to dispose of the former council office at Ashbank, 1 Shipton Road, to the highest financial bidder.

Anchor had been identified as the preferred bidder for the site in autumn 2017 but, having been asked to reconsider their development scheme, had since submitted a lower bid for a smaller scheme. In view of this, the under bidders had also been invited to re-submit revised offers. Details of all bids

received were set out in Annex 2 to the report. The highest net value, £1.35m, had been offered by Anchor.

The council's agents had confirmed that this offer reflected best consideration, and Anchor's pre-application enquiry had received positive feedback from Planning. To further reduce the risk of a bid not proceeding, it was also recommended that the bidder submitting the next most favourable bid be appointed as reserve.

Resolved: (i) That the sale of Ashbank to Anchor Housing Trust (Anchor), as the highest net financial bidder, be approved.

(ii) That Bidder 1 be retained as a reserve bidder and that, should Anchor fail to complete the purchase of Ashbank in a timely manner, authority be delegated to the Director of Economy & Place to agree its disposal to the reserve bidder in their place.

Reason: To achieve the best financial consideration for the disposal of this surplus asset and enable development on a currently vacant property.

### **32. The Proposed Purchase of Robinson Court and the Union Terrace Centre (formerly the Arc Light Centre)**

*[See also under Part B]*

The Assistant Director of Regeneration & Asset Management presented a report which set out proposals for the purchase of the freehold of Robinson Court and the long leasehold of the Union Terrace Centre from York Housing Association (YHA).

Since February 2017, the council's Adult Community Wellbeing Support Services had been provided by The Cyrenians Limited (operating as Changing Lives), who were therefore now operating services in two buildings owned or leased by a competitor, YHA.

Although interim arrangements had been entered into, the purchases were recommended to provide certainty in respect of the future ownership and use of the properties, in line with the

council's Homelessness Strategy. A financial appraisal of the proposals was attached as Annex 3 to the report.

Resolved: (i) That the purchase of the freehold of Robinson Court for £610k be approved.

(ii) That approval be given to buy York Housing Association out of their long term lease of the Union Terrace Centre from the council for £1.1m.

Reasons: To:

- provide the opportunity to maintain the level of hostel provision within the city;
- enable consistent decision making processes across the hostel provision, with City of York Council acting as landlord / owner of each property;
- ensure strategic priority is maintained through allocation decisions, with No Second Night Out, Severe Weather procedure and use of shared rooms where appropriate.

### **33. Capital Programme - Monitor 1 2018/19**

*[See also under Part B]*

The Corporate Director of Customer & Corporate Services presented a report which set out the projected outturn position of the council's capital programme for the 2018/19 financial year, along with requests to re-profile budgets to or from current and future years.

A decrease of £33.329m on the current approved programme was reported, resulting in a revised programme of £123,620m. Variances against each portfolio area were set out in paragraph 6 and detailed in paragraphs 8 to 37. Officers emphasised that this was a major programme, with particularly significant investments in the areas of Children's Services, Housing and Transport.

With reference to paragraph 22, a request was made that ward members be updated on progress of the Modernisation of Local Authority Homes scheme in their wards.

Resolved: (i) That the 2018/19 revised budget of £123,620m, as set out in Table 1 at paragraph 6 of the report, be noted.

(ii) That the re-stated capital programme for 2018/19-2022/23, as set out in Table 2 at paragraph 17 and detailed in Annex A, be noted.

Reason: To enable the effective management and monitoring of the Council's capital programme.

#### **34. 2018/19 Finance and Performance Monitor 1**

The Corporate Director of Customer & Corporate Services presented a report which detailed the council's overall financial and performance position for the period 1 April 2018 to 30 June 2018, together with an overview of any emerging issues.

The financial pressures facing the council were projected at £805k, broadly in line with previous years at this stage. The report highlighted a number of known pressures, with strategies to manage and minimise these. A total of £740k contingency was currently available. All repayments were up to date on the two outstanding loans over £100k, both to Yorwaste. It was expected that the council would again out-turn within the approved budget.

The Corporate Director clarified that the recommendation in paragraph 26 should refer to 'empty properties' rather than 'second homes'; the recommendation was therefore to increase to 100% the additional council tax charged on empty properties, in line with the powers granted by Government from April 2018.

Key statutory services continued to perform well, with 6 of the 18 strategic indicators for which there was new data showing improvements. Details were set out in paragraphs 30–117.

Resolved: (i) That the finance and performance information set out in the report be noted.

(ii) That the proposed change in council tax for empty properties, increasing to 100% the additional charge for properties that have been empty for 2 years or more, be approved.

Reason: In accordance with the new power granted to councils from April 2018, to encourage the bringing of empty properties into use.

(iii) That the likely additional business rates income outlined in paragraph 30, and that some of this may be required to deal with the pressures outlined in the report, be noted.

Reason: To ensure expenditure is kept within the approved budget.

## **PART B - MATTERS REFERRED TO COUNCIL**

### **35. The Proposed Purchase of Robinson Court and the Union Terrace Centre (formerly the Arc Light Centre)**

*[See also under Part A]*

The Assistant Director of Regeneration & Asset Management presented a report which set out proposals for the purchase of the freehold of Robinson Court and the long leasehold of the Union Terrace Centre from York Housing Association (YHA).

Since February 2017, the council's Adult Community Wellbeing Support Services had been provided by The Cyrenians Limited (operating as Changing Lives), who were therefore now operating services in two buildings owned or leased by a competitor, YHA.

Although interim arrangements had been entered into, the purchases were recommended to provide certainty in respect of the future ownership and use of the properties, in line with the council's Homelessness Strategy. A financial appraisal of the proposals was attached as Annex 3 to the report.

Recommended: That a capital budget of £1.924m be established, financed by prudential borrowing, to fund the two property transactions, including acquisition costs and repairs needed to the property, with the prudential borrowing funded from rental receipts on both properties.

Reasons: To facilitate these transactions, which will:

- provide the opportunity to maintain the level of hostel provision within the city;
- enable consistent decision making processes across the hostel provision, with City of York Council acting as landlord / owner of each property; and
- ensure strategic priority is maintained through allocation decisions, with No Second Night Out, Severe Weather procedure and use of shared rooms where appropriate.

### **36. Capital Programme - Monitor 1 2018/19**

The Corporate Director of Customer & Corporate Services presented a report which set out the projected outturn position of the council's capital programme for the 2018/19 financial year, along with requests to re-profile budgets to or from current and future years.

A decrease of £33.329m on the current approved programme was reported, resulting in a revised programme of £123,620m. Variances against each portfolio area were set out in paragraph 6 and detailed in paragraphs 8 to 37. Officers emphasised that this was a major programme, with particularly significant investments in the areas of Children's Services, Housing and Transport.

With reference to paragraph 22, a request was made that ward members be updated on progress of the Modernisation of Local Authority Homes scheme in their wards.

**Recommended:** That Council approve the adjustments resulting in a decrease in the 2018/19 budget of £33.329m, as detailed in the report and contained in Annex A.

**Reason:** To enable the effective management and monitoring of the Council's capital programme.

Cllr I Gillies, Chair

[The meeting started at 5.30 pm and finished at 6.07 pm].